IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.10650 OF 2004

Omkar D.Shinde. ...Petitioner.

Vs.

Dy.Commissioner of Police,

Mumbai & Ors. ...Respondents.

.....

Mr.L.D.Vakil i/b. Ms.Rekha Tawade for the Petitioner.

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CORAM : DR.D.Y.CHANDRACHUD, J.

May 4, 2005.

P.C. :

The limited grievance of the Petitioner is that the appeal which was filed before the Appellate Authority under Section 33 of the Bombay Police Act, 1951, against the order passed by the Deputy Commissioner of Police rejecting his request for the grant of licence has been rejected in his absence. Having regard to the facts and circumstances and in the interests of justice, the

Appellate Authority is directed to pass a fresh order after furnishing to the Petitioner an opportunity of being heard. For facilitating the passing of a fresh order, the impugned order dated 22nd June 2004 is quashed and set aside. The appeal is restored to the file of the Appellate Authority. The Appellate Authority is requested to dispose of the appeal within a period of three months from the date on which a certified copy of this order is produced before him.

The Petition is accordingly disposed of in the aforesaid terms.

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